

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,  
*Plaintiffs,*

v.

GREGORY W. ABBOTT, *et al.*,  
*Defendants.*

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Case No. 5:21-cv-844-XR  
(Consolidated Cases)

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**STATE DEFENDANTS’ OPPOSITION TO MOTION FOR LEAVE**

YBLOC’s motion for leave to file a brief *amicus curiae* should be denied.

The Court has already recognized that the “parties are sophisticated and ably represented by counsel” and that “litigat[ing] fact issues . . . is generally inappropriate for an *amicus*.” ECF 185 at 3, 4. Given that, and given the breadth of the interests represented by the many parties in these consolidated cases, there are likely few proposed *amici* who would have both a “special interest . . . that justifies his having a say” and offer “unique information or perspective that [could] help the court beyond the help that the lawyers for the parties are able to provide.” *Id.* at 3 (citations omitted).

YBLOC is one that does not. It acknowledges that its interests are duplicative; its claimed interest is in “the ability of non-partisan organizations *like Plaintiffs and YBLOC* to conduct important voter outreach initiatives.” ECF 203 ¶ 5 (emphasis added). Its proposed brief “focuses specifically on [how] SB 1 Section 7.04 . . . inhibits its ability to meaningfully engage with Texas voters.” *Id.* But *twenty-four* Plaintiffs—*two dozen* individuals and entities—are challenging Section 7.04 on the same ground that YBLOC identifies.<sup>1</sup> And examining whether SB 1 inhibits its actions necessarily requires examining the facts (an inquiry that is particularly inappropriate at the motion-to-dismiss stage).

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<sup>1</sup> See ECF 199 ¶¶ 260, 262, 276–277, 295–296, 309–311 (Mi Familia Vota, Houston Justice, Houston Area Urban League, Delta Sigma Theta); ECF 200 ¶¶ 195–213, 214–225, 226–239 (OCA, League of Women Voters, REVUP, Texas Organizing Project, Workers Defense Action Fund); ECF 207 ¶¶ 273–286, 287–294 (LULAC,

Nor do YBLOC's composition or mission give it special insight. It is a "non-partisan civic organization." ECF 203 ¶ 1. Seven Plaintiffs use similar language to describe themselves;<sup>2</sup> seven others describe themselves with some variation of "membership-driven" and "advocacy."<sup>3</sup>

YBLOC does not satisfy the criteria required of an *amicus*, and leave should be denied.

Date: February 3, 2022

Respectfully submitted.

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Voto Latino, Texas Alliance for Retired Americans, Texas AFT); ECF 208 ¶¶ 218–229, 255–265, 286–300 (LUPE, Friendship-West Baptist Church, ADL, Southwest Voter Registration, Texas Impact, MABA, Texas Hope, Jolt Action, Velasquez Institute, FIEL Houston, James Lewin).

<sup>2</sup> See ECF 199 ¶ 62 (Mi Familia Vota); ECF 200 ¶ 14–15, 19 (OCA, League of Women Voters); ECF 208 ¶¶ 9, 13, 16–18 (LUPE, Southwest Voter Registration, Texas Hope, Jolt Action, Velasquez Institute).

<sup>3</sup> See ECF 199 ¶¶ 38, 49 (Urban League, The Arc); ECF 200 ¶¶ 14–15, 23, 28, 32 (OCA, REVUP, Texas Organizing, Workers Defense); ¶¶ ECF 208 ¶ 19 (FIEL).

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**CERTIFICATE OF SERVICE**

I certify that this document was filed on February 3, 2022, through the Court's CM/ECF system, which automatically serves all counsel of record.

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